

In The Matter Of:
East Chicago Waterway Board of Directors Meeting

February 19, 2014

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1 EAST CHICAGO WATERWAY MANAGEMENT
2 DISTRICT BOARD OF DIRECTORS' MEETING
3 City of East Chicago, Engineering/Annex Building
4 4444 Railroad Ave.
5 East Chicago, IN
6 February 19, 2014
7 Wednesday, 5:00 P.M.

8 Transcript of the proceedings had in the
9 above-entitled matter, on the 19th day of
10 February, 2014, at 5:00 p.m., at the City of East
11 Chicago, Engineering/Annex Building, 4444 Railroad
12 Avenue, East Chicago, Indiana, before Dawn M.
13 Iseminger, Registered Professional Reporter and
14 Notary Public for the County of Porter, State of
15 Indiana.

1 A P P E A R A N C E S :

2
3 MR. JOHN FEKETE, President

4 MR. RAY LOPEZ, Secretary

5 MR. HENRY RODRIGUEZ, Board Member

6 MR. JOHN BAKOTA, Board Member

7 MR. FERNANDO TREVINO, Executive Director of the
8 East Chicago Waterway Department

9 MS. ELLEN GREGORY, East Chicago Waterway Board of
10 Directors' Attorney

11
12 Also Present:

13 TIM ANDERSON, CliftonLarsonAllen

14 NATALIE MILLS, US Army Corps of Engineers,
15 Chicago District, Indiana Harbor and Canal CDF
16 Project, Project Manager

16 JIM SMITH, IDEM

17 TOM BARNETT, ArcelorMittal

18 DAN BANASZEK, URS

19 JACK BRUNER, Tetra Tech

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1 MR. FEKETE: Call to order the East Chicago
2 Waterway Management District Board of Directors'
3 Meeting. Today's date is February 19, 2014, and
4 the time is 5:11. First order of business is the
5 roll call. John Bakota?

6 MR. BAKOTA: Here.

7 MR. FEKETE: Henry Rodriguez?

8 MR. RODRIGUEZ: Here.

9 MR. FEKETE: John Fekete, here. Mike Ebert?
10 Earnest Jones? Rich Gomez?

11 (No response).

12 MR. FEKETE: We have a quorum. The next
13 order of business is the consulting engineering
14 report. Mr. Trevino?

15 MR. TREVINO: Yes. Fernando Trevino with FMT
16 Consulting. Start off by going over the contents
17 of your board packet. You have the board minutes
18 for January 15, 2014. You have the
19 CliftonLarsonAllen financial report dated January
20 31, 2014, along with the claim docket dated
21 February 19th, 2014. You have a
22 CliftonLarsonAllen engagement letter dated
23 February 5, 2014. Citizen's Bank statements
24 ending in 608 and 616, both dated January 31,
25 2014. You have a cover sheet from Citizen's Bank

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1 basically informing us that they will soon become
2 First Merchant's Bank. They sent out a report,
3 and I just gave you the cover page, so if anyone
4 is interested in exciting reading, I have it here
5 for you.

6 In your board packet you have the ECI
7 Facility Trust report dated February 18, 2014.
8 And you have People's Bank account statements
9 for the fourth quarter 2013 for the
10 ArcelorMittal tipping fee and the ArcelorMittal
11 dredging escrow account.

12 You have in your packet a memo dated
13 January 31, 2014, regarding a deposit of
14 \$12,000 into the trust. You have in your
15 packet a BP Communicator dated February 6,
16 2014. You have a manifest, and the manifest
17 tracking number ending in 769 signed by myself
18 on behalf of the district dated February 18,
19 2014. You have an Arcadis report for the month
20 of November 2013, and the report is dated
21 January 28th, 2014. You have a Tetra Tech
22 memo, which basically transmits the progress
23 report and invoice for January. That
24 transmittal letter is dated February 14th,
25 2014. You have a page titled "Documentation of

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1 in-kind cost share," and this is information I
2 received from Mr. Scott Ireland of the EPA.
3 It's kind of guidelines on what in-kind cost
4 share would have to facilitate in order for it
5 to be considered in-kind on the Great Lakes
6 Legacy Act project.

7 You have an e-mail from Mr. Jim Smith
8 dated February 18, 2014, regarding some funding
9 opportunities. You have a 2014 Communicator,
10 basically summarizing the Waterway Management
11 District, our mission, the cleanup project, and
12 the dredging project, and this document will be
13 submitted with the user fee package which
14 should go out this week. You have a letter
15 dated February 18, 2014, signed by myself to
16 the -- basically, transmitting the user fees to
17 the property owners, and there will be three
18 attachments to that: The user fee invoices,
19 the Communicator that I mentioned, and the MOU
20 between the Waterway Management District and
21 the Indiana Attorney General's office. You
22 have a Department of the Army letter dated
23 February 12, 2014, from the project manager,
24 Natalie Mills. You have the Army Corps' report
25 to the board dated February 19, 2014. And

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1 last, but not least, you have Attorney Ellen
2 Gregory's report to the board dated February
3 19, 2014.

4 Just to kind of go over a couple of items.
5 A kickoff meeting was held with EPA and Tetra
6 Tech on February 5th regarding the Great Lakes
7 Legacy Act project. Some of the discussion
8 included establishing an invoice and progress
9 report structure from Tetra Tech. I provided
10 several comments and suggestions, which they
11 incorporated, so I want to thank Tetra Tech for
12 revising that. We also reviewed existing data,
13 reviewed existing access agreement needs, and
14 permit requirements. Mr. Jack Bruner is here
15 from Tetra Tech if there are any questions from
16 the board.

17 As the follow-up on our strategy planning
18 process, a couple items resulted from that,
19 which was pursuing grant opportunities and
20 improving our communications. I attended a
21 Legacy Foundation workshop a couple of weeks
22 ago, and so that's one avenue that I'm pursuing
23 to see if that's a possible venue for us. One
24 thing, if we do go along with Legacy
25 Foundation, it would require a 501(c)(3), so

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1 I'm looking at local community foundations that
2 may be interested in partnering with us. I
3 also had a meeting with Mr. Jim Smith of IDEM
4 last week, or it might have been the week
5 before, to review all the good work he's been
6 involved with on the Grand Cal' River, and we
7 talked about potential future projects and also
8 grant opportunities. And as I mentioned, he
9 also e-mailed me some funding programs that we
10 may be interested in. So I want to thank him
11 for his cooperation on that.

12 I also reviewed the grant opportunities
13 when we met during the kickoff meeting with
14 Tetra Tech. And on communications, improving
15 our communications, as I mentioned, there's a
16 Communicator in your packet. Thought it would
17 be a good idea to submit in our invoice
18 package, obviously, our -- the landowners that
19 are paying user fees are a significant
20 stakeholder, and I thought it would be a good
21 idea to mention to them what we've been doing
22 and what the user fees are being used for.

23 A real estate update, I'll let Attorney
24 Ellen Gregory provide an update during her
25 report. Also, we had a meeting with the Army

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1 Corps last week, on February 12th, which
2 Attorney Ellen Gregory will also update the
3 board in her report. I mentioned there was a
4 manifest that was signed by me in your packet,
5 and just as a reminder, the district signed a
6 Section 10 permit agreement with BP. Part of
7 that agreement is that BP reimburse the
8 district for our efforts; mainly, Ellen and
9 myself. And BP sent their payment obligations
10 in two checks. One has been deposited, and
11 that deposit information was in your packet.
12 The other one is a \$200 check which should be
13 deposited this week. And that's part of what
14 that entails, was the manifest that's in your
15 packet. Going to the site, making sure that
16 the roll-off box matches the information on the
17 manifest sheet and so forth.

18 User fees, I've had several meetings with
19 Olga and Tim Anderson to finalize the 2014 user
20 fees. Some of the challenges included
21 calculations for the interest on the credits,
22 and we had some Keystone software glitches,
23 which I think we've gotten past, and I think
24 we're ready to submit the user fees by no later
25 than Friday. There's a CliftonLarsonAllen

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1 engagement letter in your packet, and it's on
2 the agenda for approval consideration.

3 Attorney Ellen Gregory, and I, and Mr. Tim
4 Anderson have come up with the draft that's in
5 your packet now through some language
6 negotiations, and it's ready for your approval.

7 The 2014 budget approval from EPA and IDEM
8 is pending any day now. Hopefully, we'll have
9 that completed by the next board meeting, and
10 Tim and I will review the 2013 final budget
11 numbers, including cash balances, and 2014 cash
12 transfer recommendations for the 2014 budget.

13 The claim docket on today's agenda
14 contains only 2013 budget items, so none of
15 those three items are 2014 spending.

16 And last, but not least, the Army Corps
17 dredging public meeting is scheduled for March
18 13th at 5:00 p.m. at the City Hall Council
19 Chambers. And that concludes my report.

20 MR. FEKETE: Any questions from Mr. Trevino?

21 (No response).

22 MR. FEKETE: Thank you very much. Now
23 entertaining approval consideration for the board
24 reading notes from January 15th.

25 MR. BAKOTA: Motion approved.

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1 MR. LOPEZ: Second.

2 MR. FEKETE: We have a motion and a second.

3 On three occasions in the minutes there was
4 reference made to George Park. It should be
5 Jeorse Park, J-e-o-r-s-e. It appears on Pages 4,
6 Page 14, and Page 22. All in favor signify by
7 saying aye. Aye.

8 MR. BAKOTA: Aye.

9 MR. RODRIGUEZ: Aye.

10 MR. LOPEZ: Aye.

11 MR. FEKETE: Opposed?

12 (No response).

13 MR. FEKETE: No oppositions. No abstentions.

14 The board minutes have been approved. The
15 accounting consulting, Mr. Anderson.

16 MR. ANDERSON: Tim Anderson from
17 CliftonLarsonAllen. As Fernando mentioned,
18 financials for January are in your packet. We
19 really didn't do a whole lot during January and
20 February because we don't have the budget approved
21 yet. So the payments that we've made in January
22 and February are actually accounts payable from
23 '13, which was approved. So these financials,
24 there's not a whole lot on them. Page 2 just
25 shows the -- we've received interest of \$285, and

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1 we've paid down those disbursements. That's all
2 accounts payable from 2013. So the balance of
3 cash at the end of January was 1.6 million.
4 Pretty much the same as it was at the beginning of
5 January.

6 Page 3 just shows the interest earned and
7 the cash disbursements of the operating account
8 and the user fee account, which again were
9 minimal.

10 And Page 4, the first column on the left
11 is our 2014 budget. You add to that the
12 accounts payable at December 31st of '13, which
13 gives you what we have to spend during '14.
14 That "2014 Total Appropriation" column, that's
15 what we have to spend during 2014. It's quite
16 a bit more than spent in prior years, so I
17 should have heeded your advice.

18 MR. LOPEZ: We have a budget for '14. It
19 hasn't been approved. We can't stop spending. We
20 don't shut everything down. We just carry over.
21 How do we do?

22 MR. ANDERSON: Well, if this was July, I
23 guess we'd be concerned, but I guess we can wait.
24 I think the easiest thing to do is to wait until
25 the budget is approved by everybody.

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1 MR. BAKOTA: I guess we could expect this
2 every year?

3 MR. ANDERSON: I don't know. Last year it
4 was right on time; was it not? I don't remember
5 this being a problem last year.

6 MR. FEKETE: Yeah, but the year before was --

7 MR. ANDERSON: In fact, I don't think I ever
8 remember it -- when did we start, '12?

9 MR. TREVINO: '12. There was one year, it
10 might have been before we started, where we --

11 MS. GREGORY: It was 2011.

12 MR. BAKOTA: Six months.

13 MS. GREGORY: I remember it was before we all
14 started.

15 MR. ANDERSON: There would be a lot of
16 children going hungry. Fernando asked that
17 question, "Well, can we" -- "should we just go
18 ahead and use -- because you guys have approved
19 the budget, but I think --

20 MR. BAKOTA: I always ask them to appropriate
21 money for known costs, salaries, our rent, you
22 know, I mean, that's, you know --

23 MR. ANDERSON: That was the other thing we
24 thought of, is there's really only a couple items
25 on that budget that they really look at, you know.

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1 Say, for those two items, can we go ahead and use
2 the --

3 MR. BAKOTA: Yeah.

4 MR. ANDERSON: We'll see what happens. So
5 that's the "Financial Report" column. The other
6 thing was we filed a Form 100R with the State
7 Board of Accounts, which basically verified that
8 we don't have any employees the way that the
9 government thinks of employees. Then there was
10 also a debt reporting form filed with the State
11 Board of Accounts where we had to disclose the
12 lease that we have with the City of East Chicago
13 on this space. And we did work on the user fee
14 invoices, which was no small task this year,
15 because we had a couple small calculations that we
16 had to do. Plus, we had some new software, which
17 the good news is, they are ready to go, I think.

18 So as Fernando said, I think we're going
19 to try to get those out this week.

20 MR. FEKETE: Great.

21 MR. ANDERSON: Any questions?

22 (No response).

23 MR. ANDERSON: Thank you.

24 MR. BAKOTA: Thank you.

25 MR. LOPEZ: Thank you.

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1 MR. FEKETE: The next order of business under
2 financials is the approval of the accounts payable
3 voucher register dated February 19, 2014.

4 Entertain a motion to approve.

5 MR. LOPEZ: Motion to approve.

6 MR. RODRIGUEZ: Second.

7 MR. FEKETE: Motion to approve and a second.

8 We'll have a roll call vote. Mr. Bakota?

9 MR. BAKOTA: Yes.

10 MR. FEKETE: Mr. Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Mr. Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete, I vote yes. Mike
15 Ebert? Earnest Jones? Rich Gomez?

16 (No response).

17 MR. FEKETE: Motion has been approved. Next
18 order of business is the CliftonAllenLarson
19 engagement letter.

20 MR. LOPEZ: Motion to accept.

21 MR. FEKETE: We have a motion to accept the
22 letter of engagement. And do we have a second?

23 MR. BAKOTA: Second.

24 MR. FEKETE: We have a second. Roll call
25 vote. Mr. Bakota?

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1 MR. BAKOTA: Yes.

2 MR. FEKETE: Mr. Rodriguez?

3 MR. RODRIGUEZ: Yes.

4 MR. FEKETE: Mr. Lopez?

5 MR. LOPEZ: Yes.

6 MR. FEKETE: I vote yes. Mr. Jones?

7 Mr. Gomez?

8 (No response).

9 MR. FEKETE: The motion is approved. The
10 next order of business is the U.S. Army Corps of
11 Engineer's report. Miss Mills.

12 MS. MILLS: Good evening. Natalie Mills with
13 the U.S. Army Corps of Engineers. The CDF
14 construction: The contractor is still planning to
15 be on site and mobilized and start dredging on
16 April 8th, 2014, and that's all weather dependent,
17 but for now they are still on the schedule.

18 The retrofit: The main entrance ramp
19 repair, that's complete. We'll replace the
20 concrete in the spring when the weather
21 permits.

22 CDF documentation: So the submission of
23 the TSCA permit, we're still working on that.
24 We're going to provide Fernando and Ellen the
25 permit itself closer to the end of this month

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1 when it's ready, and we're going to plan for a
2 submission in March to the regulators. And we
3 have been told that the permit could take up to
4 a year for receipt, so we'll keep you posted
5 within that year on how the progress is going.

6 Oil boom coordination: There was a
7 meeting held on February 13, 2014, in
8 preparation for the upcoming dredge season.
9 There's going to be some future meetings as far
10 as what the plan is going to be for the oil
11 booms. It seems like for now we're going to
12 treat the oil booms as they did during the last
13 dredging season and just remove the oil booming
14 on Indianapolis Boulevard during the dredging.

15 MR. LOPEZ: Back up a little bit. It's
16 bothering me.

17 MS. MILLS: Yes.

18 MR. LOPEZ: As far as the permits, you're
19 asking for the TSCA permits. Is there any request
20 for putting toxic material in there?

21 MS. MILLS: It's not toxic.

22 MR. LOPEZ: You know what I mean.

23 MS. MILLS: The TSCA permit is for us to be
24 able to place sediment that includes PCBs, so
25 that's what this permit is for.

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1 MR. LOPEZ: We have a resolution. We don't
2 want any of that stuff in there. So you guys have
3 to work it out, right? Come back to us?

4 MS. MILLS: I'm not aware of a resolution.

5 MR. LOPEZ: Well, we have a resolution.

6 MS. MILLS: Is that something that was taken
7 up initially with Mike?

8 MR. LOPEZ: In the beginning, we didn't want
9 any of that junk.

10 MR. TREVINO: I'll get my hands on it and
11 I'll e-mail it to you.

12 MS. MILLS: Okay. Anything else? Nothing
13 else right now?

14 MR. LOPEZ: That's it. It's going to come up
15 again.

16 MS. MILLS: Okay. The next point is the PCA.
17 As Fernando indicated, the Corps met with ECWMD on
18 the 11th of February to discuss the PPA.

19 MS. GREGORY: 12th.

20 MS. MILLS: Was it the 12th?

21 MS. GREGORY: Yes.

22 MS. MILLS: Okay, that was the initial date,
23 12th, to discuss the PPA revisions. The Corps
24 proposed a new direction on the PPA, and I presume
25 that you'll speak further on consideration for the

1 board.

2 The next point is in regards to the
3 meeting that we're going to be scheduling with
4 the appraisers. I think, Fernando, you were
5 going to take the lead with coming up with
6 getting the date perhaps?

7 MR. TREVINO: Yeah. We'll coordinate that
8 with Mr. Nick Talema (phonetic), and we'll get
9 back with you on some possible dates.

10 MS. MILLS: Okay. Sure. The Indianapolis
11 Boulevard Parkway improvements, I did speak with
12 our field guys internally and just reminded them
13 to keep this on their schedule for the spring, and
14 I did mention that we'll be leaving the gap where
15 we don't have the Feddeler property.

16 THE REPORTER: The what?

17 MS. MILLS: The Feddeler, F-e-d-d-e-l-e-r,
18 property. So, Ellen, I got your note regarding
19 the modification to that real estate access
20 agreement, so we'll make the change and then send
21 it back out to you.

22 MS. GREGORY: Okay.

23 MS. MILLS: After that, of course, we will
24 need your signature from you all to allow us to be
25 able to access that. That's all that I have at

1 this time. Are there any additional questions
2 from you?

3 MR. FEKETE: No questions. Thank you very
4 much.

5 MR. BAKOTA: Thank you.

6 MR. LOPEZ: Thank you.

7 MR. FEKETE: Next order of business is
8 Attorney Ellen Gregory's report. Miss Gregory.

9 MS. GREGORY: Ellen Gregory, with Ellen
10 Gregory Law. A lot of the items that I was going
11 to cover have been addressed a little bit. One
12 thing that hasn't been discussed yet is on January
13 23rd, the Department of Justice attorney
14 distributed a revised consent decree to the
15 parties. The plan is to have a conference call
16 with just the attorneys to discuss that latest
17 draft. We have a biweekly call tomorrow for the
18 ECI group, and I assume that we'll be trying to
19 schedule when that call will be, on the call
20 tomorrow.

21 We did meet on February 12th with the Army
22 Corps to discuss revisions to the PCA. Corps
23 has presented a proposal which would kind of
24 change the cost share provisions, which we'll
25 be reviewing and hopefully getting back to the

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1 Army Corps to discuss what those changes might
2 be. Related to the PCA, we also raised the
3 issue of the credits under the PCA. We
4 discussed both the audit of ECWMD past cost and
5 the appraisal of the CDF parcel, so we'll be
6 continuing to discuss those with the Army
7 Corps.

8 The Feddeler parcel, I don't have anything
9 new to add from what Natalie and Fernando said.
10 Our local real estate attorney, Jim Wheezer,
11 will be working with the Army Corps' lawyer to
12 try to resolve that, either through settlement
13 with the Feddelers or through a condemnation
14 action. We also have Jim Wheezer working on
15 identifying easements the parcels owned by the
16 Waterway Management District so we can have a
17 better idea of what pipelines are and railroad
18 easements and other easements that are on the
19 properties that we own.

20 And I have nothing really new to add to
21 the user fee issue. I've been working with
22 Fernando, and basically just looking at some of
23 the legal issues and assisting on some of the
24 correspondence that's going to the users. And
25 that's all I have.

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1 MR. FEKETE: Any questions for Miss Gregory?

2 MR. RODRIGUEZ: Yeah. Ellen, I notice in
3 here about the public meeting.

4 MS. GREGORY: For?

5 MR. FEKETE: I guess, the dredging public
6 meeting regarding the dredging here.

7 MS. GREGORY: The dredging? That was what
8 Natalie mentioned, or Fernando mentioned that
9 basically every year before dredging starts, the
10 Corps presents on the dredging.

11 MR. RODRIGUEZ: Is that going to be in --

12 MR. TREVINO: Yes, the contract will be
13 present, right.

14 MR. RODRIGUEZ: Army Corps?

15 MR. TREVINO: Right.

16 MR. FEKETE: Any other questions? Thank you.
17 Any new business to come before the board?

18 MR. RODRIGUEZ: It doesn't matter one way or
19 the other, other business or new business.

20 MR. LOPEZ: Old business, I have old
21 business.

22 MR. RODRIGUEZ: I have noticed, Mr.
23 President, that we have roll call when we have the
24 meetings, there's always seven names called out
25 but only six people actually attend the meetings.

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1 I know there's supposed to be seven members. Do
2 you know the status of the seventh member, Rich
3 Gomez? Is he still part of the board?

4 MR. FEKETE: It's a seven member board.
5 Until somebody replaces him, he can stay on.

6 MR. BAKOTA: No, it isn't, because his name
7 should be struck from all further business of this
8 board. He hasn't been renewed for a number of
9 years, he's automatically gone. We seem to keep
10 him on the roll call. I don't know why. I
11 would -- in fact, if we strike his name and do it
12 publicly, it will be a matter of record. Maybe we
13 can get the Mayor to make his appointment to
14 replace him. Right now we have an even number,
15 which is in violation of the board. You can't
16 operate with even numbers, and we're appointed by
17 the state legislature. We're in violation. I
18 think his name should be severed from this
19 organization and never mentioned again.

20 MR. LOPEZ: I think the mayor should make
21 that decision, not us.

22 MR. BAKOTA: No. The mayor makes the
23 appointment.

24 MR. LOPEZ: That's his appointment.

25 MR. BAKOTA: I mean, if you go beyond your

1 date of appointment, you're automatically not a
2 board member until it's relieved.

3 MR. FEKETE: No.

4 MR. TREVINO: May I suggest something, Mr.
5 President? If we could take that under
6 advisement, we'll research the bylaws and come up
7 with some discussion at the next meeting.

8 MR. BAKOTA: Okay.

9 MR. RODRIGUEZ: Okay.

10 MR. TREVINO: We'll take a look at what the
11 bylaws say in regards to that circumstance and
12 we'll report back on that.

13 MR. BAKOTA: You know, the pledge I took in
14 front of the mayor, and you sign it, and the
15 notary is there to stamp it, and it says your time
16 of service, and it shows a closing date of that
17 service, if it's not renewed, you're not a board
18 member; not legally. If you look at your -- when
19 they swore you in --

20 MR. LOPEZ: Yeah, you serve until you're
21 replaced.

22 MR. BAKOTA: No.

23 MR. LOPEZ: You have an expiration date, but
24 then if you go by the expiration date, four people
25 go past the expiration date, they don't serve,

1 then you shut the organization down. You have to
2 serve until you're replaced.

3 MR. TREVINO: My recollection on the bylaws
4 is that when you're appointed, you continue to
5 serve until a new person is appointed in your
6 position.

7 MR. BAKOTA: That ain't what your paper said.

8 MR. RODRIGUEZ: That's not what I thought.

9 MR. LOPEZ: We asked us for clarification.

10 He asked for us for clarification, so when I
11 called the governor's office, he said, "You serve
12 until you're replaced."

13 MR. BAKOTA: I don't care what the governor
14 says. You have your signed thing.

15 MR. RODRIGUEZ: Like Fernando says, look at
16 the bylaws and see what --

17 MR. FEKETE: We have to not only look at the
18 bylaws but what the state regulations are, because
19 we're a state agency. If the city does it
20 differently and they have different requirements,
21 that's one thing. We have to follow whatever the
22 state has set up for this particular board.

23 MR. BAKOTA: Yeah, and I'm sure Hank's
24 objective, and mine, too, is strike his name.

25 MR. FEKETE: I understand your point. I

1 understand your point. I think we need to do it
2 properly.

3 MR. BAKOTA: And if the stage legislature
4 says, Yeah, this board is qualified, it has seven
5 members, when we don't, we have an even number.

6 MR. FEKETE: We have seven positions that
7 have been designated by the state legislature, and
8 that's in the statute. As to who actually fills
9 those positions, so --

10 MR. BAKOTA: We're operating on six.

11 MR. FEKETE: Functionally, we only have six,
12 but we still require a four-member attendance in
13 order to have a majority.

14 MR. TREVINO: A quorum, yes. We'll take a
15 look at it and we'll research the bylaws.

16 MR. FEKETE: It's a good point. Glad you
17 brought it up.

18 MR. TREVINO: One more thing, Mr. President.
19 I mentioned during my report that I had attended a
20 Legacy Foundation workshop, and I had asked a
21 representative from the Legacy Foundation, Miss
22 Tina Rongers, to attend tonight's meeting and to
23 give us a snapshot of what the Legacy Foundation
24 is and kind of educate the board and myself and
25 see if there's a match there that we might want to

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1 pursue. So if you wouldn't mind allowing --

2 MR. FEKETE: I think that will be great.

3 MR. LOPEZ: Agreed.

4 MS. RONGERS: Thank you very much. This will
5 be like a conversation and not a big presentation.

6 So my name is Tina Rongers, and I'm currently
7 serving as the vice president of Legacy
8 Foundation. And how many of you know of our
9 organization?

10 (Members indicating.)

11 MS. RONGERS: So just for the benefit of some
12 others that are here gathered in the room, Legacy
13 Foundation was established in '92 as a community
14 foundation to, one, make grants out into Lake
15 County, so we're a county-wide organization, and
16 then also cultivate philanthropy within Lake
17 County, which is -- there are people that are
18 passionate about the places they are from and want
19 to put money in a Legacy fund so they can invest
20 or issue scholarships to a particular cause that
21 matters to them. So that's probably where you're
22 most familiar with seeing Legacy, because we fund
23 twice a year nonprofit programs, projects,
24 throughout the county. Mr. Trevino and I made a
25 connection because Legacy is beginning to expand

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1 and think more broadly about how it can make an
2 impact in Lake County, and so we are looking at
3 how can we be a philanthropic partner and help
4 lead community development in neighborhoods, at
5 the neighborhood level. And so when we spoke, it
6 was, Hey, we have the East Chicago Waterway
7 Management agency here and how can we connect and
8 potentially partner with Legacy Foundation to do
9 some of our own project objective that might
10 relate to community development. And so we just
11 launched this program in December. We do have
12 several federal agencies that we work with that
13 have bigger dollars than we do. Much of those
14 federal agencies are doing some on-the-ground work
15 in East Chicago, and some of our other
16 communities, so they have a pot of funds and some
17 resources to partner with. We are also reaching
18 out to businesses, both the big ones that we know
19 of but the smaller and mid size businesses because
20 we feel without business being involved in
21 community development, that sometimes we might
22 work on a community but not think about how we can
23 strengthen, you know, mom and pop shops and things
24 like that to make for a really healthy and vibrant
25 neighborhood.

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1 So, and then we're also reaching out to
2 nonprofit communities, and through Neighborhood
3 Spotlight, our new initiative, we are looking
4 for some strong organizations that are
5 community based to kind of stand up and say
6 they're willing to commit to change and
7 facilitate their community to go through a
8 planning process that helps them identify a set
9 of objects and projects that they want to work
10 together to do. And so on January 31st,
11 Mr. Trevino attended our meeting to find out
12 more about this program, and so what we're
13 trying to do is move towards this framework of
14 change. We really feel that we can help
15 facilitate community change if the grassroots
16 are helping to lead the effort, and that they
17 are supported by a network of people in that
18 process. So as we were kind of batting around
19 ideas like, "Why should I come," and I was
20 like, "This is a great opportunity." In my
21 work outside of Legacy I have done consulting
22 for the Regional Development Authority, so I
23 know some of the economic -- the big drivers in
24 your community. And I've done other work, so I
25 know some of the other challenges and

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1 opportunities, so I just started to explain.

2 So, you know, one thing that we could look
3 at is the City of East Chicago, you have these
4 great waterway systems, you have the canal
5 system, as well as the Grand Cal', and these
6 could be two potential community development --
7 economic community development tools, right?

8 So if we look -- if you don't mind, I'll just
9 use this map. So in this economic development
10 map, you've got -- you have the community, you
11 have some different economic development
12 project areas, some of which are located on the
13 canal, or the Grand Cal'. So through the
14 neighborhood spotlight process, either your
15 organization or you partnering with a nonprofit
16 community organization, could say, "Over the
17 next few months we want to work together to
18 define what our neighborhood spotlight program
19 would be." And so maybe you want to focus on
20 the Roxanna development area, and so maybe
21 there is a list of projects there, ones that
22 are on your to-do list, but maybe there is a
23 housing community here, be it a private -- you
24 know, private homeowners that are organized, a
25 block group, or maybe it's public housing

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1 that's organized, and maybe they're there, and
2 maybe there is a school in the vicinity, and so
3 you could come together and say, you know,
4 "We're interested in pursuing neighborhood
5 spotlight to help us build capacity within this
6 development area to look at how do we
7 development or plan, a neighborhood plan, and
8 then how can we fund the projects that our
9 citizens and stakeholders come up with." And
10 so it could be in Roxanna. Maybe there's
11 something here in the canal, in one of these
12 communities here (indicating), that you could
13 bring support around. And so if that's
14 something that your organization is interested
15 in either leading or partnering, because we do
16 need a 501(c)(3) to be the applicant, but you
17 can be that strong partner behind the process
18 and kind of co-lead, but they would actually
19 apply so that you meet the eligibility
20 requirement. And then if you want to pursue
21 that, then we would just need Mr. Trevino and
22 that community partner to attend three required
23 trainings that are happening, the first of
24 which is next week on the 28th. And at Legacy,
25 we feel like we're investing in the community

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1 because we're going to help you conceptualize
2 and connect with who might be a good partner
3 for your organization, and these training
4 sessions and some one-on-one that will be made
5 available will help you prepare a strong
6 application that will be due in September.

7 Once you fill out the application in September,
8 then our Legacy grants committee will be
9 reviewing our neighborhood spotlight
10 applications, and in December we'll make an
11 announcement. We're looking this year to pick
12 one or two communities to grant towards. So
13 why only one or two? Because we're really
14 putting these communities in the pipeline for
15 multi-year funding, and part through Legacy,
16 but we're also on a different level looking to
17 bring people in to support the work that we're
18 doing.

19 So I do think that this is a great
20 opportunity for your organization, for the City
21 of East Chicago, to think about getting more
22 deeply involved, and we did have a couple
23 representatives from, I believe, community
24 development that attended the meeting as well.
25 So, you know, I just pointed out Roxanna, but

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1 again in your own thinking about community
2 development work, whether that's something
3 you've traditionally done or it's a direction
4 you want to move in, this would be a great tool
5 to help you be guided through a process and
6 backed up with the money to do it.

7 The main difference between this program
8 and initiatives in our regular grants is that
9 we are asking people to work together. So it's
10 going to be all about collaborating and
11 overcoming those barriers, be it the economic,
12 environmental, physical, but also in human
13 relationships. Instead of doing thing in silo,
14 we're going to help coach people how to work
15 together to really have an impact.

16 So what does "neighborhood" mean? In
17 our -- in this program, we would look for you
18 to look at a target area that could impact
19 anywhere between 4,000 and 25,000 people. You
20 know, that's just a general range. If you're a
21 little below or a little above, we're going to
22 be open to that, but we help in these training
23 sessions to help coach you through that. So
24 we -- at Legacy we have a task force consisting
25 of board members and community members that are

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1 helping kind of provide the governance
2 structure around how Legacy implements this
3 because it's new to us, but we are really
4 bringing on resources that have been on the
5 ground in communities like Indianapolis,
6 Chicago, and else where throughout the United
7 States. We've seen a variety of issues that we
8 will be bringing to them as our own community
9 with a long history of economic community and
10 environment, so you won't be alone in the
11 process. I think this is an important point,
12 but we are looking for people that are willing
13 to step up and be change agents and galvanize
14 support at a neighborhood level. We want to
15 see healthy, vibrant, connected neighborhoods
16 at the end of the day. That means thinking
17 big. We haven't put an exact dollar amount on
18 the program, but we don't want people just
19 thinking about the dollar or just thinking
20 about one project. We want the creativity, the
21 energy, the dreams and aspirations of your
22 residents and the stakeholders to say -- to
23 dream big. Maybe somebody wants a field of
24 dreams baseball in their backyard, and maybe
25 that makes sense, and maybe that's something

1 that somehow gets funded or moves forward, or
2 maybe the aspiration is we want healthy
3 waterways that people can recreate on, and that
4 the quality of fish is such that they could eat
5 more quantity. So that could be a goal. Maybe
6 you focus on environmental education. Maybe
7 you look at how do you create public access to
8 the waterway, how do you create a bike trail so
9 that people are connecting to the waterway, how
10 do we connect it to Lake Michigan and connect
11 an access point. Maybe it is about bringing
12 pedestrian movement from Grand Cal' up to Lake
13 Michigan.

14 So it's going to be a blue sky approach.
15 We understand we haven't had that kind of
16 freedom or been given that kind of permission
17 to dream again, but that's what Legacy is here
18 to do, and to let you know that we are so
19 excited about the good people and the great
20 work that can be done in your local
21 communities, and so we hope that Mr. Trevino
22 can continue to participate in these trainings
23 and hopefully bring a strong partner along in
24 this endeavor. So I'll take any questions.

25 MR. BAKOTA: Sounds good.

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1 MR. FEKETE: Very well presented. We will be
2 looking for ways in which we can expand the type
3 of things that we are capable of doing. You know,
4 we do have some limitations by statute on where we
5 can go and what we can do. That is not to say we
6 can't creatively come up with good ideas, and we
7 have been able to do that in the past, and I think
8 we can continue to do that. This is a new thing
9 in the sense, in the last couple of years we have
10 been reaching out and trying to find ways in which
11 we can use funds over which we have direct control
12 as opposed to some trust funds that require other
13 inputs from folks that have oversight on it. But
14 in this particular case, we have the ability to
15 reach out and do things on our own, and when we
16 saw the announcement come through about the Legacy
17 Foundation workshop in the meetings, we thought
18 this might be a good thing, we should explore and
19 see the ways in which -- particularly when you
20 mention collaboration. That seems to be something
21 we can do, because we really don't have a working
22 body of folks that go out and actually development
23 projects and things of that nature. However, we
24 can do the same thing for people that come with
25 great ideas, and we're reaching out to you and

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1 others as well.

2 MS. RONGERS: Yeah. And, so, again,
3 neighborhood spotlight really is about being a
4 tool to help you build capacity, so if you were to
5 submit a project, if it were selected, in the
6 first year Legacy is actually going to be
7 sponsoring a community organizer, and this will be
8 your on-the-ground person that will be imbedded in
9 your community that's most -- you know, we want
10 that person to be from the community to really
11 kind of have that buy in from local residents and
12 stakeholders. But in that year one, we will
13 provide funding for a community builder. This
14 person will really have kind of those informal and
15 formal connections to the neighborhood. They will
16 be the ones picking up the phone, going and having
17 coffee, really building that community process.
18 So that will be some of your staff support, so you
19 won't necessarily have to say, Oh, I want to go
20 after this grant but I need to take 25 percent of
21 Mr. Trevino's time to do this. No. We're saying
22 we're going to give you somebody in that first
23 year to help bring everybody together to organize,
24 and then in year two we go through -- in year one
25 we do some of that capacity building, and then we

1 also have a planning process, so we'll help you
2 with technical support that will come in and lead
3 you through a collective impact planning process,
4 which is another way to say "quality of life." So
5 you'll look at all the factors that matter in your
6 neighborhood: The economy, education, public
7 health, environment, public safety,
8 transportation.

9 And then in year three, once you guys have
10 the plan in place, that's where the real fun
11 begins, which is, "Now let's build stuff.
12 Let's get money down on the ground and get
13 people moving and showing the change that can
14 be effected." So think of this as a tool, and
15 this could be an appropriate way to advance
16 your own objectives, but be able to leverage
17 the help of other organizations with their
18 time, talent, and resources.

19 MR. FEKETE: Very good. Thank you very much.
20 Thank you very much for coming.

21 MR. BAKOTA: Thank you.

22 MS. RONGERS: Thank you very much.

23 MR. TREVINO: You said one of the training
24 sessions was next week, the 28th. Time and
25 location?

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1 MS. RONGERS: 9:00 to 12:00 at the Avalon,
2 and I'll be getting an e-mail out this evening
3 yet -- or tomorrow on that.

4 MR. TREVINO: Okay.

5 MS. RONGERS: All right. Thank you again.

6 MR. LOPEZ: Old business?

7 MR. FEKETE: The other piece of business,
8 just as an update, and Mr. Lopez just reminded me
9 that there is a meeting Friday, an update meeting
10 on the Jeorse Park, J-e-o-r-s-e, Park situation,
11 and this will be including Michigan State and
12 representatives from the Coastal Zone Program of
13 IDEM, or Indiana Department of National -- Natural
14 Resources, as well as ourselves and a host of
15 other folks. So we will have hopefully a very
16 succinct update available for our next meeting.
17 If there is anything that comes out via e-mail,
18 I'll make sure we get that distributed as well.

19 Any other business? Any comments from the
20 public?

21 (No response),

22 MR. FEKETE: Thank you all for attending.
23 Next board meeting is March 19th at 5:00 p.m. at
24 this location. I will entertain a motion to
25 adjourn.

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1 MR. BAKOTA: Motion to adjourn.

2 MR. FEKETE: Second.

3 MR. RODRIGUEZ: Second.

4 MR. FEKETE: All in favor, signify by saying

5 aye. Aye.

6 MR. BAKOTA: Aye.

7 MR. RODRIGUEZ: Aye.

8 MR. LOPEZ: Aye.

9 PROCEEDINGS ADJOURNED AT 6:05 P.M.

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C E R T I F I C A T E

I, Dawn M. Iseminger, Registered Professional Reporter (RPR), and Notary Public within and for the County of Porter, State of Indiana, do hereby certify that I appeared at The City of East Chicago, Engineering/Annex Building 4444 Railroad Ave., East Chicago, Indiana, on the 19th day of February, 2014, to report the proceedings had of the District Board of Directors' Meeting.

I further certify that I then and there reported in machine shorthand the proceedings given at said time and place, and that the testimony was then reduced to typewriting from my original shorthand notes, and the foregoing transcript consisting of forty (40) pages is a true and accurate record of said proceedings had.

Dated this 12th day of March, 2014.



Dawn M. Iseminger, RPR
My Commission expires: 7/22/2017